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January 13, 2021

Via ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Stephen M. Calk, 19 Cr. 366 (LGS)

Dear Judge Schofield:

We write to advise the Court that the parties have conferred with respect to trial scheduling in light of the worsening pandemic and the motion to quash or modify the government's trial subpoenas filed on January 8, 2021, by four Chicago-based witnesses.

The parties are in agreement that the trial can only go forward as scheduled on February 17, 2021 with the witnesses the government intends to call if certain witnesses are permitted to testify by video. Given the defendant's objection to video testimony by those witnesses and the possibility that the pandemic-related obstacles to witness travel will be alleviated later in the year, the parties jointly request the trial be adjourned, that the motion to quash or modify be held in abeyance, and that the parties address trial scheduling with the Court on January 26, 2021 in conjunction with the previously scheduled oral argument on a motion in limine.

The parties further agree that the deadlines previously set by the Court with respect to the disclosure of exhibit and witness lists shall remain in effect.

Respectfully submitted,

/s/ Paul H. Schoeman

Paul H. Schoeman
Darren A. LaVerne

cc: All counsel (via ECF)

The parties' application is **GRANTED**. The motion to quash (Dkt. No. 145) is **DENIED without prejudice** and oral argument on the motion (Dkt. No. 147) is **CANCELLED**.

Oral argument on the motion *in limine* as to Catherine A. Aguirre and Blake J. Paulson, originally scheduled to occur immediately following oral argument on the motion to quash (Dkt. No. 148), will now proceed on **January 26, 2021, at 2:00 p.m.**, on the following conference line: 888-363-4749, access code: 5583333.

The trial scheduled for February 17, 2021, is **ADJOURNED sine die**. Immediately following oral argument on the motion *in limine*, the Court will hear the parties' positions on trial scheduling.

The Clerk of Court is respectfully directed to close the motions at Docket Nos. 145 and 153.

Dated: January 13, 2021
New York, New York

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